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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,148	12/21/2001	Herbert Becker	45914/DBP	8638
23363	7590	07/14/2004	EXAMINER	
CHRISTIE, PARKER & HALE, LLP			MOHANDESI, IRAJ A	
PO BOX 7068			ART UNIT	
PASADENA, CA 91109-7068			PAPER NUMBER	

2834

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Applicant(s) 10/019,148	Applicant(s) BECKER ET AL.
	Examiner Iraj A Mohandesi	Art Unit 2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 16-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-11, 14, 15 and 20 is/are rejected.
- 7) ☒ Claim(s) 7, 12 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: <u>21/12/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 21/12/2001.

The submission is in compliance with the provisions of 37 CFR 1.97.

Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the element "A5" in claim 1, a spring element in claim 3, the element E2 in claim 11, and the element A25 in claim 13, as described in the specification.

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and

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appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1,2,4,5,8-11,14,15 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by **Brussco US patent 5,315,194**.

Regarding claims 1 and 20 **Brussco'194** discloses an actuator device for an electronic window winder having a gearing (worm screw, column 2 line 34-36, Fig 1, inside the frame 108,106,107,102) with a gear housing (108,106,107,102,124, see Fig. 1) an electric motor (104, Fig.1) mechanically connected to the gearing (Fig.1), a control device (27,101, Fig.1, column 3, lines 9-31) mounted in the

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gearing housing (105,) and having inherently at least one power semi-conductor 27,101,25,23, the electronic unit) for controlling the electric motor (104) and - means (121,120,heat dissipation ,see column3,line 28,Fig.1) thermally coupled to the power semi-conductor as heat sink for drawing off waste heat from the power semi- conductor, wherein the means are integrated in the gear housing (108,106,107,102,124).

Regarding claims 2,4,5, 8 and 9 **Brussco'194** discloses an actuator device for an electronic window winder having for the purpose of coupling, the means (121) and the control unit with electronic device housing (120) are fixed against one another inherently to reduce a heat transfer resistance and a heat conducting means is mounted for thermal coupling between the means (121) and a power semi-conductor housing (123,120)) , heat conductor (121) further coupling with a cooling element (123) to discharge the waste heat diverted away from the power semi-conductor (see Fig.1), an opening in the gear housing for inserting the electronic elements and heat sink 'Panel' and there is inherently a mechanical connection between the heat conductor (121) and the gear housings (124,) .

Regarding claims 10,11,14 and 15 **Brussco'194** discloses an actuator device for an electronic window winder having inherently at least a bearing for motor or the gear, which is integrated in gear housing and conductor panels are arranged on the means (121) and the conductor panel (123) have contact elements with the means (121, the electronic elements including "semiconductors" such as diode

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for control system are attached on 121 as "heat sink" and element 121 in contact with the panel "wall", See column 3, lines 10-33, Fig. 1).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Brussco'194** and in view of **Tharman US patent 3,875,438**.

Brussco'194 teaches all limitation of the claimed invention except for the heat sink is injection molded at least in part and the heat sink with spring-tensioned through a spring element against the power semi-conductor housing .

Tharman'438 disclosed an electric motor having a heat sink which is spring-tensioned through a spring element against the power semi-conductor housing (column 6, lines 41-46) for the purpose of for locking connection.

Therefor it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine **Brussco'194** window winder with a heat sink, which is spring-tensioned through a spring element against the power semi-conductor housing as taught by **Tharman'438** for the purpose mention above.

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8. Claim 6 rejected under 35 U.S.C. 103(a) as being unpatentable over combination **Brussco'194, Tharman'438** and further in view of **Stiepler US patent 3,617,786..**

Combination **Brussco'194, Tharman'438** teaches all limitation of the claimed invention except for the heat sink is injection molded at least in part .

Stiepler'786 disclosed an electric motor having the heat sink is injection molded at least in part (see column 3,lines 9-15) for the purpose of production advantages.

Therefor it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify combination **Brussco'194, Tharman'438** with a heat sink is, which is injection molded at least in part as taught by **Stiepler'786** for the purpose mention above.

Allowable Subject Matter

9. Claims 7,12 and 13 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A Mohandesi whose telephone number is 571-272-2028. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IM July 6 ,2004


THOMAS M. DOUGHERTY
PRIMARY EXAMINER
GROUP 2109
